

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UBU/Elements, Inc.,	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	No. 16-2559
	:	
Elements Personal Care, Inc., <i>et al.</i>,	:	
Defendants.	:	

ORDER

This 19th day of August, 2016, upon review of Plaintiff's Motion for Preliminary Injunction, and following the presentation of evidence at a hearing on July 28–29, 2016, it is **ORDERED** that the Motion is **GRANTED** for the reasons expressed in the accompanying Memorandum. **IT IS FURTHER ORDERED THAT:**

1. For the duration of this Court Order, Defendants are enjoined from using the Magsoothium trademark;
2. For the duration of this Court Order, Defendants are enjoined from using the After the Game trademark, except for use corresponding to accounts that pre-existed the execution of the parties' Asset Purchase Agreement;
3. Defendants shall maintain and hold all records, documents, and other forms of information, including that stored in electronic form, which relate to the allegations in the Complaint;
4. Defendants must provide a copy of this Order to any member, employee, or agent of Defendants;

5. Defendants shall relinquish and deliver to Plaintiff any goods, signs, packaging, advertising, or other materials bearing the Magsoothium or After the Game marks within ten days of this Order;
6. The bond in the sum of \$10,000.00 that Plaintiff previously posted with the Clerk of the United States District Court for the Eastern District of Pennsylvania shall remain as surety; and
7. Plaintiff's counsel shall immediately provide notice of this Order and make service of all papers to Defendants.

This Preliminary Injunction is entered at 10:00 a.m. and shall remain in effect until otherwise modified by an Order of this Court.

/s/ Gerald Austin McHugh
United States District Judge